

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE**

IN RE: Family Dollar Stores, Inc.,)	
Pest Infestation Litigation)	MDL NO: 3032
)	
This Document Relates To:)	
)	
ALL CASES)	

ALL PLAINTIFFS' MOTION FOR STATUS CONFERENCE

All Plaintiffs¹ hereby move this Court, pursuant to Federal Rule of Civil Procedure 16(a), to convene a status conference at the Court's earliest convenience to address a leadership structure, a schedule for Plaintiffs to file a consolidated complaint, Defendants' responses to same, and any further issues which the Court deems appropriate in this case now that the Judicial Panel on Multidistrict Litigation (JPML) has consolidated all related cases into this Multi-District Litigation (MDL). In support of this request, Plaintiffs state the following:

1. Thirteen related cases are on file in various districts. All Plaintiffs' claims against Defendants Family Dollar, Inc., Dollar Tree, Inc., Dollar Tree Stores, Inc., Family Dollar Services, LLC, Family Dollar Stores of Arkansas, and Family Dollar Stores of Tennessee, Inc.

¹ All counsel for Plaintiffs in the following cases join in this Motion for Status Conference: *Whitney v. Family Dollar, Inc.*, 22-cv-02138 (W.D. Tenn. filed Mar. 4, 2022), *Smith, et al. v. Family Dollar, Inc., et al.*, 2:22-cv-00043 (E.D. Ark. filed Mar. 14, 2022); *Brown, et al. v. Family Dollar, Inc. et al.*, 2:22-cv-00040 (E.D. Ark. filed Mar. 10, 2022); *Perrone, et al. v. Family Dollar, Inc.*, 22-cv-03056 (E.D. Mo. filed Mar. 8, 2022); *Brown, et al. v. Family Dollar, Inc. et al.*, 22-cv-00105 (S.D. Ala filed Mar. 7, 2022); *Fields, et al. v. Family Dollar, Inc.*, 22-cv-00611 (W.D. La. filed Mar. 12, 2022); *Lacy, et al. v. Family Dollar, Inc.*, 22-cv-00098 (S.D. Miss. filed Feb. 23, 2022); *Mull, et al. v. Family Dollar Stores of Tenn., et al.*, 22-cv-2272 (W.D. Tenn. filed May 2, 2022); *Sharp, et al. v. Family Dollar et al.*, 22-cv-90 (E.D. Ark. filed Mar. 30, 2022.); *Robertson, et al. v. Family Dollar Stores of Ark., et al.*, 22-cv-269 (E.D. Ark. filed Feb. 22, 2022.); *Rogers, et al. v. Family Dollar, et al.*, 22-cv-2159 (W.D. Tenn. filed Mar. 10, 2022); *Robinson, et al. v. Family Dollar Inc.*, 22-cv-2182 (W.D. Tenn. filed Mar. 24, 2022); and *Smith, et al. v. Family Dollar Services Inc. t/a Family Dollar, et al.*, 22-cv-208 (E.D. Va. filed Feb. 25, 2022).

(“Defendants”) concern, and arise from, among other things, a February 22, 2022 FDA report detailing rodent infestation in Defendants’ West Memphis, Arkansas distribution facility and a subsequent recall of products from more than 400 of Defendants’ stores located in Tennessee, Arkansas, Alabama, Mississippi, Louisiana, and Missouri.

2. Several Plaintiffs have obtained photographs and videographic evidence from confidential informants, including the video shared by many news outlets in which live rats can be seen crawling over boxes and wrestling with each other, depicting in great detail the severity of the rodent infestation inside Defendants’ West Memphis Distribution Center.

3. A confidential informant has also revealed that products returned from certain Family Dollar stores because of contamination issues were subsequently shipped from the West Memphis Distribution Center to other Family Dollar stores.

4. On June 2, 2022, the United States Judicial Panel on Multidistrict Litigation issued a Transfer Order establishing centralization in the Western District of Tennessee, thereby creating this MDL.

5. Plaintiffs submit that all Parties would benefit from a status conference to discuss leadership and a schedule for moving forward, particularly with respect to filing a consolidated amended complaint, responses thereto, and any additional third-party claims, initiating discovery, and any other matters the Court deems appropriate. Plaintiffs request that such a conference occur at the Court’s earliest practicable availability.

Dated: June 17, 2022.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, J. Gerard Stranch, IV, hereby certify that on June 17, 2022, a copy of the foregoing was electronically filed with the Clerk of the Court using the Court's CM/ECF system, which will send notification of the filing to the following:

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